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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,581	01/17/2006	Thomas Link	23062	7537

151 7590 02/02/2009
HOFFMANN-LA ROCHE INC.
PATENT LAW DEPARTMENT
340 KINGSLAND STREET
NUTLEY, NJ 07110

EXAMINER

BARNHART, LORA ELIZABETH

ART UNIT	PAPER NUMBER
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1651

MAIL DATE	DELIVERY MODE
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02/02/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10535581	1/17/06	LINK ET AL.	23062

HOFFMANN-LA ROCHE INC.
PATENT LAW DEPARTMENT
340 KINGSLAND STREET
NUTLEY, NJ 07110

EXAMINER

Lora E. Barnhart

ART UNIT	PAPER
1651	20090129

DATE MAILED:

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Commissioner for Patents

The reply received 12/10/08 is incomplete because it does not address the rejections of claims 21-23. Applicant's reply alleges that these claims are withdrawn pursuant to a restriction requirement (see page 4, paragraph 1; and page 10, item 4), but the Office action clearly rejected these claims under 35 U.S.C. § 112, first and second paragraphs. The Office action summary sheet (PTO-326) explicitly indicates that no claims were withdrawn. The basis for applicant's contention that claims 21-23 are not being considered is not clear; as explicitly stated in the 7/10/08 Office action, claims 16-27 were examined on their merits to the extent they read on the elected species, namely "CHO cells" and "immunoglobulins."

In reply to this letter, applicant is required to provide a corrected claim listing that reflects the correct status of claims 21-23 along with arguments that fully address ALL of the pending grounds of rejection.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Lora E Barnhart/
Primary Examiner, Art Unit 1651